

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NOVEL DRUG SOLUTIONS, LLC, and
EYE CARE NORTHWEST, PA,

Plaintiffs,

v.

HARROW HEALTH, INC.,

Defendant.

Civil Action No. 18-0539-MN

HARROW HEALTH, INC.,

Defendant/Counterclaim Plaintiff,

v.

NOVEL DRUG SOLUTIONS, LLC and
EYE CARE NORTHWEST, PA,

Plaintiffs/Counterclaim Defendants,

and

DR. JEFFREY LIEGNER and
J. SCOTT KAROLCHYK,

Counterclaim Defendants.

**DECLARATION OF NEIL BENCHELL IN SUPPORT OF DEFENDANT'S
SUPPLEMENTAL REPLY TO THE RULE 12(b)(6) MOTION TO DISMISS OR IN THE
ALTERNATIVE MOTION TO STRIKE COUNT III OF PLAINTIFFS' COMPLAINT**

I, Neil Benchell, Esq., declare as follows:

1. I am Of Counsel at the Devlin Law Firm LLC and am currently in good standing and licensed to practice in the State of Illinois;

2. I am counsel of record for Defendant Harrow Health, Inc. (“Harrow”) in this action, and make this Declaration in support of Defendant’s Reply Brief to the Rule 12(b)(6) Motion to Dismiss or in the Alternative Motion to Strike Count III of Plaintiffs’ Third Amended Complaint. The facts set forth herein are true to my knowledge, and if called upon to testify thereto, I could and would competently do so under oath;

3. Attached as Exhibit 1 is a true and correct copy of portions of the Rough Deposition Transcript of Michael Napolitano taken on July 30, 2020.

Respectfully submitted,



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Attorney for Harrow Health, Inc.